

Before the  
**Federal Communications Commission**  
Washington, D.C. 20554

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In the Matter of )  
 )  
Amendment of Part 11 of the Commission's Rules ) EB Docket No. 01-66  
Regarding the Emergency Alert System ) RM-9156  
 ) RM-9215

To: The Commission.

**COMMENTS OF OKLAHOMA AMBER PLAN COMMITTEE**

The Oklahoma Amber Plan Committee hereinafter (OAPC) hereby submits the following as comments to the Commission's notice of proposed rulemaking *Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System*. Specifically, OAPC supports the addition of an event code to the Emergency Alert System (EAS) to provide initial emergency notification and information pertaining to the abduction of a child. OAPC maintains that the addition of an "Abducted Child Statement", vice the proposed "Missing Child Statement", would better serve the public and ensure the integrity of the EAS. In support of its position, OAPC shows the following:

**OAPC Is An Interested Party**

The Office of Governor Frank Keating, in conjunction with the Department of Public Safety, the Oklahoma Association of Broadcasters, and numerous law enforcement agencies in

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List A B C D E

the State of Oklahoma established the Amber Plan--Oklahoma's Early Warning System to Prevent Child Kidnappings on September 9, 1999. The 'Amber Plan' is an early warning system available for use by law enforcement to alert the public when a child has been kidnapped and the police believe the child is in danger. The Oklahoma 'Amber Plan' was the first version to go statewide and is based on the original 'Amber Plan' implemented in Arlington Texas. To date the Oklahoma 'Amber Plan' has over 100 participating television and radio stations and a membership of over 60 law enforcement agencies that continues to grow (See Exhibits A and B).

#### The Emergency Alert System Is Vital To The Success Of The Amber Plan

The purpose of the Amber Alert is to broadcast critical information concerning a recently abducted child, in a timely manner, to the general public via electronic media. In the event the child/abductor is seen or if anyone has knowledge of the abduction, that information can be provided immediately to the investigating law enforcement agency. The success of the Amber Alert is dependent on the Emergency Alert System (EAS). In Oklahoma, participating stations are programmed for CEM (Civil Emergency Message), the event code currently used for the Amber Alert. The Amber Alert, issued as a Civil Emergency Message, is then transmitted to participating stations via an EAS receiver. Proper use of the Amber Plan can dramatically increase the chance of the child's safe return. To date the Oklahoma 'Amber Plan' has contributed to the successful recovery of two small children who were abducted during a car theft and were in grave danger.

### The Significance Of An “Abducted Child Statement”

The Oklahoma Amber Plan was not created to address runaway cases or parental abductions resulting from domestic situations. The Amber Plan was created to address specific cases in which a child has been abducted and is believed to be in grave danger. The Amber Plan is reserved for and used in rare cases in which the public can act as the “eyes” and “ears” of law enforcement to aid and assist in the safe recovery of an abducted child. Therefore, the OAPC supports an “Abducted Child Statement” as it is more efficient and accurately depicts the circumstance for which the Amber Plan was created. The U.S. Department of Justice reports that annually there are as many as 450,700 children who run away and 354,000 children abducted by family members. In comparison, there are 4,600 abductions by nonfamily members reported to police annually and 300 of those children are missing for long periods of time or murdered. The OAPC believes the “Missing Child Statement” is oversimplified and would lead to an abuse of the EAS. Subsequent abuse of the system would compromise the Plan’s integrity and undermine its original intent. Furthermore, the OAPC believes the “Missing Child Statement” would encourage exploitation of the Amber Plan and discourage broadcasters and other private entities from volunteering their time and resources, the very pillar upon which the Plan rests.

### The Amber Plan Is A Cooperative Effort In Saving Lives

The Amber Plan is a cooperative effort between law enforcement, the media and the general public. Various private organizations and state agencies have contributed to the success of the Amber Plan in the State of Oklahoma. Their willingness to donate valuable time and resources speaks highly of the spirit of volunteerism present in our state. The success of our first

Amber Alert in the city of Tulsa has proven that various state agencies and private organizations can work together for a common cause, the safety of our children. The safe recovery of two small children and the subsequent arrest and conviction of the abductors have galvanized interest in the Oklahoma 'Amber Plan' throughout the United States. The Plan, if used wisely, provides an effective tool in the battle against those who would prey upon our children. OAPC believes that if the 'Amber Plan' saves the life of only one child, it is well worth the effort.

#### Lives Saved

The Oklahoma 'Amber Plan' has already proven to be a success. The recovery of two small children ages 6 1/2 and 19 months old in the city of Tulsa legitimized the importance of such a Plan in protecting our children from unwarranted and unnecessary danger by a stranger (See Exhibits C,D,E,F).

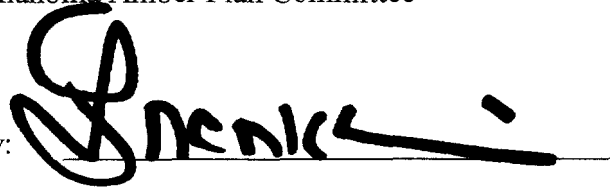
Conclusion

The OAPC respectfully requests that the Commission take into consideration the comments of OAPC and the important role the Amber Plan plays in our state in saving the lives of children. For the foregoing reasons, Oklahoma Amber Plan Committee respectfully requests that the Commission rules be amended to include a "Child Abduction Statement" event code to the Emergency Alert System.

Respectfully submitted,

Oklahoma Amber Plan Committee

By:

A large, bold, handwritten signature in black ink, which appears to be "Frank Keating", written over a horizontal line.

Governor Frank Keating

212 State Capitol  
Oklahoma City, Oklahoma 73105  
(405) 523-4221

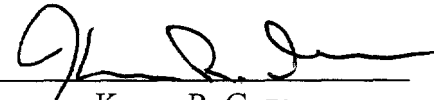
Dated:

May 30<sup>th</sup> 2001

**CERTIFICATE OF SERVICE**

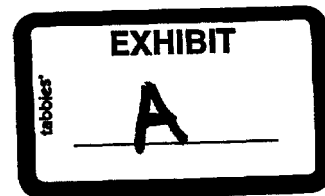
I, Kenny R. Goza, hereby certify that  
on this 30<sup>th</sup> day of May, 2001, I caused Oklahoma Amber Plan Committee comments to the  
Commission's notice of proposed rulemaking *Amendment of Part 11 of the Commission's Rules  
Regarding the Emergency Alert System* to be filed with the Commission by placing an original  
and fourteen copies in the United States mail, first class, postage prepaid to the following:

Commission's Secretary  
Magalie Roman Salas  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Room TW-A325  
Washington, D.C. 20554

  
Kenny R. Goza

Please distribute original and 14 copies as follows:

original and four copies (required for each filing)  
five additional copies (to be distributed to Commissioners)  
two additional copies (RM-9156)  
two additional copies (RM-9215)  
one receipt copy (please return in self-addressed postage prepaid envelope)



**Amber Plan  
Participating Stations  
February 22, 2000**

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**Television(17)**

**Lawton**

KSWO-TV

**Oklahoma City**

KOCO  
KOCB-KOKH  
KWTW  
KFOR  
KOPX  
KTOU  
KAUT

**Tulsa**

KOTV  
KJRH  
KTUL  
KTPX  
KOKI  
KDOR  
KWBT  
KTFO

**Radio(88)**

Altus	KEYB	KWHW	KRKZ
Alva	KALV	KVSO	KYNZ
Ardmore	KKAJ		
Bartlesville	KWON	KYFM	KRIG
Blackwell	KOKB		
Bristow	KREK		
Broken Bow	KKBI		
Durant	KLBC	KSEO	KSSU
Elk City	KADS	KTIJ	
Enid	KGWA	KOFM	KCRC
	KXLS	KNID	KMKZ
Fort Smith	KLSZ	KOMS	KBBQ
Grove/Ketchum	KGND	KGVE	
Guymon	KKBS	KTJS	KQTZ
Hobert	KTJS	KQTZ	
Idabel	KQIB		
Langston	KALU		
Lawton	KJMZ	KKRX	KLAW
	KZCD	KVRS	KCCU
	KBZQ		
Lindsay	KBLP		
McAlaster	KNED	KMCO	KTMC
Muskogee	KHJM	KBIX	KMUS
Oklahoma City	KMGL	KRXO	KOMA AM/FM
	KATT	KYIS	KNTL
	KCYI	WWLS	KXXY
	KTST	KEBC	KTOK
	KQSR	KJYO	KQCV AM/FM
Perry	KOSB	KOKB	
Okmulgee	KOKL		
Ponca City	KPNC	KLOR	
Poteau	KPRV AM/FM		
Seminole/ Shawnee	KIRC		
Stillwater	KOSU		
Tonkawa	KAYE		
Tulsa	KBEZ	KHTT	KCKI
	KCFO	KRMG	KJSR
	KRAV	KRTQ	KWEN
	KGTO	KVOO AM/FM	

EXHIBIT

B

## Amber Plan--Member List

(5/21/2001)

Alfalfa S.O.	Oklahoma City P.D.		
Altus P.D.	Oklahoma Highway Patrol		
Beckham S.O.	Owasso P.D.		
Bethany P.D.	Pawnee County S.O.		
Blaine County S.O.	Payne County S.O.		
Broken Arrow P.D.	Perry P.D.		
Chelsea P.D.	Ponca City P.D.		
Chickasha P.D.	Poteau P.D.		
Claremore P.D.	Pushmataha County S.O.		
Cleveland County S.O.	Putnam City Campus P.D.		
Clinton P.D.	Roger Mills County S.O.		
Coal County S.O.	Rogers County S.O.		
Colinsville P.D.	Sand Springs P.D.		
Comanche County S.O.	Sapulpa P.D.		
Cotton County S.O.	Seiling P.D.		
Creek County S.O.	South Coffeyville P.D.		
Dewey County S.O.	Stillwater P.D.		
Duncan P.D.	Tecumseh P.D.		
Durant P.D.	The Village P.D.		
Edmond P.D.	Tulsa P.D.		
El Reno P.D.	Tulsa County S.O.		
Enid P.D.	Tuttle P.D.		
Fletcher P.D.	Weatherford P.D.		
Fredrick P.D.	Woodward County S.O.		
Grady County S.O.	Yukon P.D.		
Major County S.O.			
Mangum P.D.			
McClain P.D.			
McCloud P.D.			
McCurtain County S.O.			
Midwest City P.D.			
Moore P.D.			
Mustang P.D.			
Nichols Hills P.D.			
Noble P.D.			
Norman P.D.			
Nowata County, S.O.			
Nowata P.D.			



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September 14, 2000

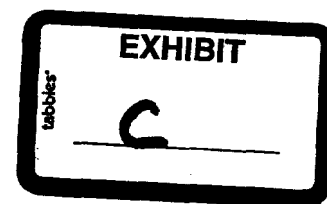
**Amber alert**

Section: OPINION

Edition: Final Home Edition

Page: 14

Estimated Printed Pages: 1

*Index Terms:*

EDITORIAL

## Article Text:

The outcome of an overnight ordeal could have been so much worse even deadly.

Instead two children, 61/2-month-old Demetri Collette and 19-month- old Monique Collette, who were inside their mother's car when it was stolen from an east Tulsa gas station, were found near Afton just before sunrise Wednesday in the abandoned vehicle.

A citizen noticed the neon-pink Geo Tracker on a bridge off U.S. 59 and called police.

Tulsa Police Chief Ron Palmer linked the children's safe return to the activation of Tulsa's first **Amber** Alert, an effort to locate endangered children through quick notification of area news media. The alert sparked a massive search and repeated reports by radio and television stations throughout the evening.

The children's mother, Brandy Renae Collette, 21, had parked the car at a convenience store where her sister works. She left the keys in the ignition while she went inside to get a drink. She was gone only two minutes.

Under the **Amber** Alert **plan**, once police have received a report of a child abduction, they fax information to area media outlets. Broadcast stations then sound an emergency tone during broadcasts -- similar to a weather alert -- which is followed by the information from police. Coincidentally, a test of the new system had been planned for Friday. Instead authorities suddenly had a real-life run-through.

There are two lessons to be learned from the abduction of the Colette children: One, children should never be left unattended in a vehicle even momentarily. In this case, 120 seconds almost spelled tragedy. Second, the media, so often criticized for only being concerned with news gathering, pulled together with authorities and showed that they too have the capacity to be Good Samaritans.

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September 13, 2000

## 2 children reported abducted

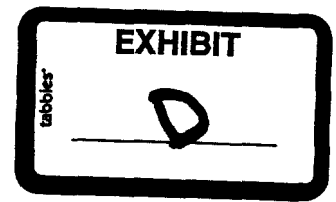
By ANDREA EGER; World Staff Writer

Section: NEWS

Edition: Final Home Edition

Page: 1

Estimated Printed Pages: 3



### Article Text:

Law enforcement officers, firefighters, residents and the media worked together Tuesday in a citywide search for an infant and a toddler after their mother reported that the car they were in was stolen from a gas station.

Brandy Renae Collette, 21, told police she had parked her 1993 Geo Tracker alongside the Albertson's gas station at 1939 S. Memorial Drive and had gone inside to buy a soda at about 5:35 p.m.

She said she returned less than two minutes later to find that her car, along with her 61/2-month-old son, Demetri, and 19-month-old daughter, Monique, had vanished.

Police quickly responded with Tulsa's first activation of the "**Amber Plan**," a protocol for locating endangered missing children through immediate alerts by area broadcasters. Police have said they do not implement the **plan** when they believe that a family member may have taken a child.

Police initially said Collette's report that the keys had been left in the car led them to believe it was a crime of opportunity, but by 10 p.m. inconsistencies in her story began to emerge and investigators were considering family members' possible involvement, said Chief Ron Palmer.

"The mother initially said the children's father was out of the country in Mexico," Palmer said. "Since then, we've determined that he's very much in the country -- in the city of Tulsa, Oklahoma." The children's father, 21-year-old David Collette, was taken into investigative custody shortly before 10 p.m. for questioning by Child Crisis Unit officers and FBI agents.

"We're working it as a stranger abduction still, although there are inconsistencies in the story as to how the children disappeared," Palmer said at an 11:45 p.m. press conference. "The father's answering our questions, as are the other members of the family."

Officers were sent around 11 p.m. to search an apartment at 1511 W. 60th St. in the Parkview Terrace complex, which both parents listed as their home address, but the children were not found, Officer Lucky Lamons said.

The "**Amber Plan**" is named for **Amber** Hagerman, a 9-year-old Arlington, Texas, girl who was abducted and killed in 1996.

Once police have received a report of a bona fide child abduction, the alert system calls for them to notify area broadcasters. The stations then sound an emergency tone during their broadcasts -- similar to a weather alert -- which is followed by information from law enforcement agencies, including the missing child's description and the suspect's vehicle description so motorists can be on the lookout.

Throughout the evening Tuesday, local television stations either left information on their screens or scrolled information across the bottom of the screen, calling viewers' attention to information about the apparent abductions.

Palmer called in reserve officers to help in "grid" searching all of Tulsa for the pink Geo Tracker with a black soft-top, with a possible Oklahoma tag number of AIM-750.

An increasing number of officers conducted the grid search as the evening dragged on. By 9:15 p.m., about 70 officers of the 150 or so on duty at the time were assigned to the grid search, focused first on parking lots of apartment complexes and shopping centers and alleyways, where stolen cars are often abandoned, Lamons said.

By 10 p.m., all of the city's 175 on-duty firefighters who were not responding to emergencies were sent out to slowly cruise the streets of their assigned districts in search of the Tracker, Lamons said.

Family and friends gathered at the Police Department's Uniform Division East, where the children's mother and her sister, who works at the Albertsons gas station, were taken to wait for news of the search.

Brandy Collette's mother, Corene Sweet, emerged on several occasions to make public pleas for the safe return of her grandchildren.

"I don't care about that car -- just let my grandbabies go. Leave 'em at a store or on the side of the road. Just, please," Sweet said, trembling, between sobs.

"I'm worried they're starving to death or they're going to be hurt."

Sweet said the children had last been fed at lunchtime. They had spent much of the afternoon in the car with their mother, who was running errands, she said.

"Our main concern is for the two babies. It's hot," Lamons said. "At 6 months old, they don't have to sweat too long to be in danger." "We're afraid that whoever took it will realize that the two babies are in the back seat and they'll ditch the car, and being that young, they can't fend for themselves," Lamons said early in the evening. Andrea Eger, World staff writer, can be reached at 581-8470 or via e-mail at [andrea.eger@tulsaworld.com](mailto:andrea.eger@tulsaworld.com).

Caption:

Monique Collette; Demetri Collette; Corene Sweet, the grandmother of the infant and toddler who were reported taken when their mother's vehicle was stolen from a gas station Tuesday afternoon, shows her grief as she talks to reporters that evening.

COLOR PHOTOS

MAP

DARYL WILSON/Tulsa World

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September 15, 2000

## 2 teens in jail in tots' snatching

By ANDREA EGER; World Staff Writer

Section: NEWS

Edition: Final Home Edition

Page: 1

Estimated Printed Pages: 3

### Index Terms:

CORRECTION, CLARIFICATION  
CHRONOLOGY

Correction: A TIMELINE THAT ACCOMPANIED A FRIDAY TULSA WORLD STORY ON TWO PEOPLE BEING ARRESTED IN THE ABDUCTION OF TWO TULSA CHILDREN INCORRECTLY REPORTED THE DAY THAT THE **AMBER PLAN** WAS USED TO HELP FIND THE CHILDREN. THE **PLAN** TO ALERT AREA RESIDENTS WAS USED TUESDAY NIGHT. (SEPTEMBER 16, 2000, A2)

### Article Text:

Two teenagers were arrested Thursday in connection with a car theft and the abduction of two young Tulsa children.

Nineteen-year-olds Joe Ray Phelps Jr. of rural Afton and Bonnie Elizabeth Grubbs of Tulsa were arrested about 4:30 p.m. at Phelps' Delaware County residence. The residence is within walking distance of the rural road where a car that was stolen Tuesday from a Tulsa gas station with 61/2-month-old Demetri Collette and 19-month-old Monique Collette inside had been abandoned.

Phelps and Grubbs were being held late Thursday in the Delaware County Jail in Jay.

They were expected to be brought to Tulsa on Friday to face formal charges in Tulsa County District Court of auto theft and kidnapping, authorities said.

Reports of a white couple in their early 20s who were prowling in the parking lot of the Albertsons where the car was stolen just before the theft occurred about 5:40 p.m. Tuesday, along with a call from an acquaintance of the suspects, led detectives to the pair, Tulsa Police Chief Ron Palmer said Thursday night.

"An acquaintance of theirs said it was odd that they were back in Ottawa County because they had borrowed a car up there and came to Tulsa and were stranded and somehow got a ride back around the time that all this happened," Palmer said of the tip that was received at Tulsa's Crime Stoppers hot line, 596-COPS.

"The citizen put two and two together, and the detectives put two and two together and came up with four to make the arrests," he said.



Police said they know of no connection between the suspects and the children's parents, Brandy and David Collette.

"This appears to be a crime of opportunity," Palmer said. "Motive, as far as we can tell at this point, was the car."

Collette family members, including David Collette, came under early scrutiny in the investigation because of discrepancies in Brandy Collette's initial reporting of the theft and abduction, police said.

She first told police officers that she was alone when she left her children for less than two minutes in the car with the keys in it.

Police initially said they also were led to believe that David Collette was out of the country, although he later was found to be in Tulsa and was taken to the police station for questioning about four hours into the 12-hour ordeal.

It was later revealed that both parents were together at the gas station when the theft occurred, but David Collette said he caught a ride with an employee of the gas station in an attempt to pursue the neon pink Geo Tracker after it was seen leaving the station. Initial interviews with Phelps and Grubbs suggest that the abduction of the Collette children was a criminal bungle, according to Sgt. Gary Stansill, a detective in the department's Child Crisis Unit.

"They didn't realize at first that the kids were in the car. When they did, they didn't know what to do," Stansill said.

Palmer said it was unclear whether the suspects were aware that their opportunistic ride home had prompted Oklahoma's first activation of the **Amber Plan** when they ditched the stolen Geo Tracker.

The **Amber Plan** is a protocol to help law enforcement agencies in locating endangered, missing children through media broadcasts, similar to weather alerts.

The **plan** is named for **Amber** Hagerman, a 9-year-old Arlington, Texas, girl who was abducted and killed in 1996.

After hearing radio reports about the abductions, Ottawa County poultry farmer Carl Brewer spotted the sport utility vehicle on a rural road near his home early Wednesday.

Police said the person who suspected Phelps' and Grubbs' involvement also had learned of the abduction because of **Amber Plan** broadcasts. How it happened

5:35 p.m. Tuesday -- Brandy and David Collette's Geo Tracker is stolen from a Tulsa gas station with their children, 61/2-month-old Demetri and 19-month-old Monique, inside.

6:30 p.m. Wednesday -- Officials implement the **Amber Plan**, using area media to alert residents of the abductions.

5:30 a.m. Wednesday -- Poultry farmer Carl Brewer spots the stolen vehicle on a rural Ottawa

County road and reports it to authorities.

Wednesday morning -- Authorities find the children in the vehicle and take them to a Miami, Okla., hospital, where they are treated for dehydration and reunited with their family.

4:30 p.m. Thursday -- Two 19-year-olds are arrested in Delaware County in connection with the abductions and auto theft. Andrea Eger, World staff writer, can be reached at 581-8470 or via e-mail at [andrea.eger@tulsaworld.com](mailto:andrea.eger@tulsaworld.com).

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September 14, 2000

## Home safe and sound

By NICOLE MARSHALL; World Staff Writer

Section: NEWS

Edition: Final Home Edition

Page: 1

Estimated Printed Pages: 2

Article Text:

Coincidentally, Tulsa police had planned to practice the **Amber Plan** on Friday.

Instituted about a year ago, the child abduction early-alert system had never been used, and it seemed like time to try it out -- at least in mock exercises, police thought.

But just three days before the drill was to begin, real life beat them to it.

Tuesday and Wednesday's 12-hour search for two abducted Tulsa children marked the state's first activation of the **Amber Plan**, Police Chief Ron Palmer said.

And because the man who found the vehicle that was stolen with the two children inside reported his sighting after repeatedly hearing the alert on the radio, police are saying it worked just like it should.

"If we did not have the **Amber Plan**, that is just another car abandoned by the side of the road with no one looking for it," Palmer said.

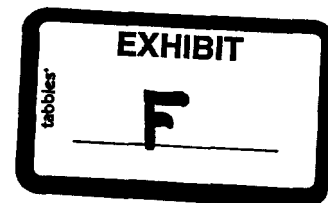
The abduction of Demetri and Monique Collette led to the unprecedented search involving the collaboration of the police and the media. The children were found safe in Ottawa County on Wednesday morning, but no one has been arrested.

The **Amber Plan** is named for **Amber** Hagerman, a 9-year-old Arlington, Texas, girl who was abducted and killed in 1996.

Once police receive a bona fide report of a child abduction, they notify area media outlets and provide them information that includes a description of the child, and, if authorities have it, a description of the abductor's vehicle so that motorists can be on the lookout.

Hundreds of northeastern Oklahoma residents called police with tips Tuesday after broadcasters aired police appeals to be on the lookout for the stolen vehicle.

Throughout the evening Tuesday, local television stations either left information on their screens or scrolled information across the bottom of the screen, calling viewers' attention to information about the abductions.



As some officers scoured the city, others responded to each possible sighting of the stolen Geo Tracker.

The **Amber Plan** alert was not without its glitches, Palmer said. The biggest was that the Crime Stoppers cellular telephone, which is used to take calls in an **Amber** Alert, was turned off for at least half an hour after the alert was issued.

**Amber** Alert calls to the number are diverted to about eight officers in the Emergency Operations Center for dispatch.

A detective who was assigned the phone for the night had it turned off while he was at a speaking engagement.

Once he turned it back on, he found that its voice mail had 31 messages, which he then forwarded on to be dispatched.

Meanwhile, 911 calls and other reports were still pouring into the dispatch center for investigation.

Palmer graded Tuesday's response to the **Amber** Alert a B+.

"It is very good. We would like to see it up and going even quicker, and had it not been after hours, we might have been able to get the staff here even sooner," he said.

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Record Number: TLW0914000

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